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Applicability: Individuals Eligible for DDSN Services

I. Purpose

The purpose of this policy is to assure that individuals who are eligible for DDSN services are provided services in the most timely and equitable manner possible, and that those who have critical needs that jeopardize their health and safety are given priority to services and supports.

II. Prioritized Waiting Lists

- A. The Department of Disabilities and Special Needs (DDSN) has three types of waiting lists that it manages: Critical Needs, Residential Services and Enhanced In-home Services (HCB Waiver). Each of these types of waiting lists is further broken down into differentially prioritized lists with defined criteria as follows:

1. Critical Needs: Those consumers in life-threatening situations requiring immediate services.

A critical need is defined as a life-threatening situation that requires immediate action. Life threatening situations typically are limited to situations where the consumer: 1) has been recently abused/neglected by primary caregiver, 2) is homeless (to include situations where consumer is being discharged from an Alternative Placement and is unable to return to parent's home or live independently), 3) has seriously injured self or others and continues to pose a threat to the health and

safety of self or others or 4) has been judicially admitted to DDSN or is included in the DJJ subclass. All efforts to address critical situations through use of in-home support services, where appropriate, including the Home and Community Based (HCB) Waiver, must be exhausted prior to any consideration of residential placement. Refusal of in-home supports does not constitute a critical situation. Additionally, living with relatives or friends must be ruled out prior to an individual being considered homeless.

2. Residential Services: 24-hour supports provided by or contracted for operation by DDSN

Priority I: Those consumers in urgent situations with features suggesting there is a probability the consumer will require residential placement within the next twelve months.

A Priority I need is defined as an urgent situation which is anticipated to require residential services through SCDDSN within the next year to prevent harm to the consumer or the consumer's family. An urgent situation is considered to exist when the consumer has a history of significant behavioral or medical challenges that have not been effectively met through routine or enhanced in-home services. These difficulties, while significantly disruptive to the current setting in which the consumer resides, do not pose an imminent threat to the health and safety of the consumer or others. It is anticipated that the degree of threat to the health and safety of the consumer will continue to increase.

Priority II: The consumer and/or family perceive that residential placement may be needed in the future, greater than one year.

3. Enhanced In-home (HCB Waiver): Services provided to individuals in their own home or family's home

- a. Consumers discharged from an ICF/MR, children in South Carolina Department of Social Services (SCDSS) custody for whom SCDSS has agreed to financially sponsor enrollment in the MR/RD waiver, and those who reside in or need DDSN-sponsored residential placement to receive MR/RD waiver services will be enrolled in the MR/RD waiver without need to be first placed on a waiting list.

1. Critical (MR/RD)

A critical need is defined as one in which the consumer: 1) requires a service available through the MR/RD waiver, which if not provided will likely result in serious and imminent harm, and 2) has an immediate need for direct care or supervision, or 3) has recently lost a primary caregiver or is at imminent risk of losing a primary caregiver, or 4) is ready for or has

recently been discharged from a hospital and needs services immediately to prevent readmission.

2. Regular (MR/RD)

Anyone requesting waiver enrollment who does not meet critical criteria described above will be placed on the regular MR/RD waiver waiting list.

3. Urgent (HASCI)

An urgent need is defined as one in which the consumer meets the criteria required to be placed on the Regular HASCI Waiver waiting list and has two or more of the following conditions present: 1) very severe injury with functional limitations (SCI at quadriplegia level or severe TBI), 2) emergency need for assistance with personal care, 3) recent loss of primary caregiver (permanently gone within past 90 days) or imminent risk of losing primary caregiver (permanently gone within next 90 days), and no other natural supports to replace the primary caregiver, 4) recently discharged (within past 90 days) or pending discharge (within next 90 days) from acute care or rehabilitation hospital with complex unmet service needs, 5) lack of active support network.

4. Regular (HASCI)

A regular need is defined as a consumer being between the ages of 0 – 65, having a head injury, a spinal cord injury, or both, or a similar disability not associated with the process of a progressive degenerative illness, disease, dementia or a neurological disorder related to aging, having urgent circumstances affecting his/her health or functional status and is dependent on others to provide or assist with critical health needs, basic activities of daily living or requires daily monitoring or supervision in order to avoid institutionalization and needs services not otherwise available within existing community resources, including family, private means and other agencies/programs or for whom current resources are inadequate to meet the basic needs of the individual which would allow them to remain in the community.

- B. Only those consumers on a Residential or Enhanced In-home service waiting list will be able to access services with the following exceptions. Consumers may receive Enhanced In-home (HCB Waiver) services without first being placed on a waiting list when they are: 1) persons residing in a hospital, nursing facility or ICF/MR for 90 days or more who are discharged or pending discharge and need immediate services to prevent readmission or 2) a child in SCDSS custody for whom SCDSS has agreed to sponsor service provision.

Consumers will be served off of the waiting lists based upon urgency of need (i.e., individuals on the Critical/Urgent waiting lists will be offered services prior to those on the lower priority waiting lists). Those individuals on the Enhanced In-home (HCB Waiver) waiting lists will be served in the order of entry onto the waiting list (i.e., those who have been on the waiting list longer will be offered services first).

Services will be provided based upon the availability of funds.

The separate procedures for inclusion of a consumer's name on one of the waiting lists outlined in Sections III – VI are as follows:

III. Procedure for Placement on/Removal from Critical Needs Waiting List

A. Application for inclusion of a consumer on the Critical Needs waiting list requires the following actions by the provider agency:

1. The Service Coordinator must first determine that all the appropriate in-home services and supports have been implemented and found to be insufficient to adequately address the consumer and his or her family's needs.

It is the responsibility of the service coordination provider to maintain sufficiently frequent contact with consumers and their families so potential problem situations may be recognized at an early enough stage to attempt problem resolution prior to it reaching a Critical Needs status.

2. The Service Coordinator must make a home visit at a time convenient to the family to:
(a) assess the family's needs; (b) assure that all appropriate in-home supports and services have been utilized including natural supports; and (c) verify that the existing situation meets the definition of a critical case as defined above.
3. Subsequent to the home visit, a Report of Critical/Urgent Circumstances (see Attachment A) along with supporting documentation must be completed and submitted to the Services Coordination Supervisor and the agency's Executive Director for review and concurrence. If a HCB Waiver "slot" has not already been allocated to the consumer, such a request should be attached to the Report of Critical/Urgent Circumstances (see the DDSN MR/RD or HASCI Waiver Manual – for a HASCI waiver slot, send a duplicate copy to the HASCI Division.)
 - a. If a critical situation is considered to be present due to the consumer's or parent's/caregiver's health, specific information from the person's physician must be provided relative to those health issues.
 - b. If issues are behavioral in nature, efforts toward resolution must include:
 - 1) Referral to an approved behavior consultant (or reasonable attempts to locate consultant),

- 2) Development of a behavior support plan,
- 3) Documentation of implementation of the behavior support plan (via progress notes and the intervention data summary report)
- 4) Documentation of other available behavioral resources used to support local interventions to address behavioral issues. If the consumer has autism or a brain injury, spinal cord injury, or similar disability, a referral to the Autism Division or the HASCI Division for clinical consultation must be obtained before submitting a Report of Critical Circumstances.

- c. The report of critical/urgent circumstances form along with supporting documentation shall then be forwarded to the appropriate District Office.

B. District Office Procedures for Review of Report of Critical/Urgent Circumstances

1. Upon receipt, the District Office Crisis Coordinator (DOCC) will review each Report of Critical/Urgent Circumstances to assure that it is properly prepared, complete, and contains required supporting documentation. Incomplete reports will be returned to the Executive Director with a written explanation requesting clarification and/or submission of additional supporting documentation.
2. If the Report of Critical/Urgent Circumstances is complete, then the DOCC will evaluate whether it meets the defined criteria for the consumer to be placed on the Critical Needs waiting list. The DOCC will document the results of this evaluation, to include an assessment of the level of service that the consumer appears to need (if meeting the criteria to be placed on the Critical Needs waiting list) on the appropriate review form (see Attachment B) and submit to the District Director along with the supporting information submitted by the service coordination provider.
3. The District Director will evaluate recommendations of DOCC and will document the decision on the noted review form. The District Director will also note if an on-site visit by the DOCC is required to more thoroughly respond to the situation. The District Director will provide a copy of the review form to the DOCC and to the Central Office staff who maintains the Critical Needs waiting list.
4. The DOCC will notify the respective consumer's service coordinator of the disposition via telephone or e-mail as soon as possible.
5. It typically requires five to ten days from DDSN receipt of a fully completed Report of Critical Circumstance for a decision to be finalized regarding placement of the individual on the Critical Needs waiting list. In those circumstances where the individual's health and safety would be seriously jeopardized by such a decision-making period, the agency Executive Director should contact the District Director to arrange for immediate intervention.

6. Once a consumer's name is placed on the Critical Needs List, the consumer's service coordinator is responsible to develop a plan to meet the consumer's needs.
 - a. Until the need is resolved, the service coordinator should be in regular contact with the consumer/family to assess the status of the situation. The DOCC will also monitor the status of those consumers who have remained on the Critical Needs waiting list for a lengthy period of time.
 - b. The service coordinator needs to follow the procedure detailed in the DDSN Admissions/Discharge policy (502-01-DD) and the DDSN MR/RD or HASCI Waiver Manual to provide residential services to the individual.
 - c. The service coordinator needs to follow the procedure detailed in the DDSN MR/RD or HASCI Waiver Manual to provide enhanced in-home services to the individual.
 - d. The plan to serve the consumer on the Critical Needs waiting list may not propose a service that is more restrictive than what has been approved by DDSN for the consumer to receive.
 - e. The plan may include services to be provided by either the consumer's home DSN Board or another DDSN qualified provider.
 - f. All DSN Boards will receive an updated copy of the Critical Needs waiting list on a weekly basis to assist in responding to the needs in the most timely basis and assist the Boards/private providers in filling service vacancies.

IV. Procedure for Placement on/Removal from Priority I Residential Waiting List

- A. Application for inclusion of a consumer on the Priority I Residential waiting list requires the following actions by the provider agency:
 1. The Service Coordinator must determine that all appropriate in-home services and supports have been implemented, that they are appropriate to meet the consumer's needs, and that they are consistent with the desires and aspirations of the consumer and his or her family.
 2. The Service Coordinator must assure that the Service Plan is updated and reflects the issues identified in No. 1 above.
 3. The Service Coordinator must have a face-to-face visit with the consumer and his or her family. A home visit is recommended but not required.
 4. Subsequent to the face-to-face visit, a Report of Critical/Urgent Circumstances (see

Attachment A) along with supporting documentation to include an updated Service Plan must be completed and submitted to the Service Coordination Supervisor for review and concurrence. Although the involvement of the Executive Director is not required, it is recommended that he or she be kept apprised of significant consumer events such as placement on a Priority I Residential waiting list.

5. The Report of Critical Circumstances Form along with appropriate supporting documentation shall then be forwarded to the appropriate DOCC.

B. District Office procedures for reviewing, analyzing, and processing requests for placement on the Priority I Residential waiting list:

1. The District Office shall follow the similar procedures for consumer requests for inclusion on the Priority I Residential waiting list as found in III.B above (using criteria for Priority I rather than Critical Needs).

V. Procedure for Placement on Priority II Residential Waiting List

A Priority II circumstance is one where the consumer and/or family perceive that residential placement may be needed in the future, greater than one year.

A. If residential placement is perceived as a possible future need, the Service Coordinator/Early Interventionist will reflect on the CDSS that the consumer is on the Priority II waiting list.

B. If a person is on the Priority II waiting list and circumstances become urgent, steps Described in Section IV of this directive must be completed.

VI. Procedures for Placement on/Removal From the Enhanced In-home (HCB Waiver) Critical/Urgent and Regular Waiting Lists

Refer to the DDSN MR/RD or HASCI Waiver Manual for specific instructions.

VII. Procedures for Reporting Age of Caregivers of Consumers

While DDSN does not maintain a separate waiting list for consumers with aging caregivers, it does periodically run “aging caregiver” reports to plan consumers’ future needs. The report is run on demand and generally includes caregivers ages of > 55, > 65 and > 80. Data elements are captured via the CDSS by entering each consumer’s caregiver’s year of birth. If a consumer has more than one caregiver, all must meet the age criteria. In order to identify consumers with aging caregivers, case workers must enter all caregivers for the consumer and their respective year of birth in the CDSS “Contacts” section.

VIII. Appeals

Adverse decisions regarding the placement of consumers on a DDSN waiting list may be appealed in accordance with the procedures outlined in the DDSN Grievance/Appeal policy (535-11-DD).

IX. Quality Assurance

Service Division (MR/RD, HASCI, Autism) Directors, or their designees, will periodically conduct post-audit reviews of the placement of consumers on the DDSN waiting lists to assure compliance with DDSN policy.

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Attachments: (To view the attachments please see the agency's web page "Attachments to Directives" under this Directive number.)

Attachment A - **REPORT OF CRITICAL/URGENT CIRCUMSTANCES**

Attachment B - **REVIEW OF REPORT OF CRITICAL/URGENT CIRCUMSTANCES**